

REMARKS

In this Response, claims 26 and 33-38 are presented for examination.

Rejections Under 35 U.S.C. § 103

In the Office Action claim 26 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Liu et al. (US2005/0058219) in view of Hasson et al. (US2003/0123566). This rejection is respectfully traversed and reconsideration is respectfully requested.

The applicants note that Liu has an earliest priority date of Sept. 16, 2003. With the previous Amendment and Response to Office Action filed June 12, 2008, applicants submitted a Declaration of Inventor Pursuant to 37 CFR § 1.131 executed by only one inventor of the above-captioned application. Furthermore, the Examiner pointed out in the Office Action that multiple dates were referenced as a possible conception date. Accordingly, applicants submit herewith a Revised Declaration of Inventors Pursuant to 37 CFR § 1.131 executed by both inventors, along with Exhibits A and B in support thereof, in order to swear behind Liu. This declaration shows that the invention was conceived at least as early as March 11, 2003, and that the inventors worked diligently to reduce the invention to practice from a time period between March 11, 2003 and the filing of the above-captioned application on December 15, 2003.

Additionally, attached is Exhibit C indicating that Intel Corporation, the prior assignee of the present application, duly retained the services of the law firm of Eitan, Pearl, Latzer & Cohen Zedek, LLP (EPL&C) on or around July 14, 2003 after selecting the present invention for filing for patent protection. One of EPL&C's patent counsels drafted the subject patent application in the ordinary course of business, which eventually led to the filing of the subject patent application on December 15, 2003, which is a reasonably diligent period for preparing the present application.

Accordingly, it is respectfully submitted that a proper showing of conception of the present invention on or before March 11, 2003, along with a diligent reduction to practice of the present invention, has been made and therefore, the applicants respectfully request that Liu be removed as a basis for this rejection and that the Examiner withdraw the rejection to these claims.

In the Office Action claims 26 and 33-38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Liu and Hasson, and further in view of Vilcocq et al (US 2004/0041638). This rejection is respectfully traversed and reconsideration is respectfully requested.

For at least the reasons discussed above, the Applicants respectfully request that Liu be removed as a basis for this rejection and that the Examiner withdraw the rejection to these claims.

Conclusion

For these reasons, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (503) 796-2997. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge Deposit Account No. 500393.

Respectfully submitted,
Schwabe, Williamson & Wyatt, P.C.

Dated: January 28, 2009

/Kevin T. LeMond/

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